

Notes regarding Proposed City of Stayton Charter

Preamble -- Utilized preamble from LOC Model Charter -- According to the footnote -- this uses the “voters” language of Article XI, section 2 of the Oregon Constitution and makes clear the intent to use all the home rule power. Although, the current Stayton City Charter does not specifically refer to this section as a Preamble -- it appears to be the predominant name for this section.

Chapter I – Names and Boundaries-

- **Section 1 – Title of Enactment** – Committee approved utilizing the same language as the current charter – appropriate date needs to be inserted.
- **Section 2 – Name of City** – Committee approved utilizing the same language as the current charter.
- **Section 3 – Boundaries** – Committee approved utilizing the LOC Model Charter as a guide for maintenance of up-to-date boundaries.
- **Section 4** – Committee approved adding voter approval of annexations into the Charter – the exact wording and placement in the Charter was not decided by the Committee at that time.
 - **City of Newberg** – Has this language – under Boundaries – *Unless mandated by state law, annexation, delayed or otherwise, to the City of Newberg, may only be approved by a majority of the voters.*”
 - **City of North Plains** – Has this language – after Boundaries in Section entitled – Voluntary Annexations – *All annexations not required by state law must be submitted to a city-wide election and obtain approval by a majority of those voting in the election before the annexations becomes effective.*

Chapter II – Powers

- **Section 4 – Powers of the City** – Committee approved adopting the LOC Model Charter language – language is very close to that currently in the Stayton Charter. City Attorney recommended the use of “... expressly or impliedly grant or allow **municipalities**, ...”
- **Section 5 – Construction of Charter** – The Committee requested the City Attorney’s advice regarding adopting the language in the LOC Model Charter and specifically asked if there was anything else that needed to be changed. The City Attorney okayed the language with the only change of adding “.. powers **and authority** ...”
- **Section 6 – Distribution** (This section is entitled *Where Powers Vested* and appears in *Chapter II – Form of Government* – but appears more consistent in this Chapter. Recommend utilizing LOC Model Charter Language. Some changes to LOC Model Charter language based on input of City Attorney.

Chapter III – Form of Government

- **Section 7 – Council – Committee** approved maintaining five (5) councilors, so maintained current Charter language.
- **Section 8 – Councilors** – Removed the language “...at the first biennial general election after this charter is adopted...” as it is no longer necessary. Also removed all reference to term limits per direction of the Committee.
- **Section 9 – Mayor** – This section regarding term and term limits for the Mayor will be taken up by the Committee at the first meeting in October.
- **Section 10 – Qualifications of Elected Officials** – Changed the residency requirement from 30 days to one year as approved by the Committee. Added section which states that neither the mayor nor a councilor may be employed by the city. Clarified that an elected official can volunteer for the City.